



# ***CITY COUNCIL***

## ***Meeting Agenda***

***REGULAR MEETING***  
***2013***  
***COUNCIL CHAMBERS***

***MONDAY, JULY 8,***  
***7:00 P.M.***

*The Regular Meetings of City Council are filmed and can be viewed LIVE while the meeting is taking place or at your convenience at any time after the meeting on the City's website at [www.ReadingPa.gov](http://www.ReadingPa.gov), under Info and Downloads/Meetings and Agenda. All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.*

### **1. OPENING MATTERS**

#### **A. CALL TO ORDER**

**B. INVOCATION:** Pastor Mel Sensenig of the Christ Presbyterian Church

#### **C. PLEDGE OF ALLEGIANCE**

#### **D. ROLL CALL**

### **2. PROCLAMATIONS AND PRESENTATIONS**

- Council Commendation celebrating Recreation Month, accepted by the Reading Recreation Commission
- Mayoral Proclamation for East Reading Boxing Club accepted by Andres Acuna

### **3. PUBLIC COMMENT – AGENDA MATTERS:**

*Citizens have the opportunity to address the Council, by registering with the City Clerk by 5 pm on the day of the scheduled Council meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.*

*All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials*

*to be distributed to Council must be given to the City Clerk before the meeting is called to order.*

*Those **commenting on agenda business** shall speak at the beginning of the meeting and shall limit their remarks to **5 minutes**. Those **commenting on general matters** shall speak after the legislative business is concluded and shall limit their remarks to **3 minutes**. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.*

#### **4. APPROVAL OF AGENDA**

**A. MINUTES:** Regular Meeting of June 24, 2013 (PAGE 5)

**B. AGENDA:** Regular Meeting of July 8, 2013

#### **5. Consent Agenda Legislation**

**A. Award of Contract** - for the renovation of the Pump Tender Room Roof to Purcell Construction, 560 North 5<sup>th</sup> Street, P.O. Box 188, Denver, PA 17517 who is the low bidder with total bid price of \$35,600.00 (**Purchasing**) – **PAGE 11**

**B. Resolution 55-2013** – authorizing the disposition of contracts in the City Clerk's office as listed. (**Council Staff**) **PAGE 13**

**C. Resolution** – authorizing the Administration to take certain actions in compliance with the recent Civil Service Board decision (Managing Director) *To be distributed Monday*

#### **6. ADMINISTRATIVE REPORT**

#### **7. REPORT FROM OFFICE OF THE AUDITOR**

#### **8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS**

Environmental Advisory Council, David Bean, Chair

#### **9. ORDINANCES FOR FINAL PASSAGE**

**A. Bill No. 30-2013** - authorizing the amendment of the Park and Recreation Fees as recommended by the Rec Commission (**Bus Analyst**) (PAGE 79) ***Introduced at the 6-24 regular meeting – Advertised July 1, 2013 PAGE 14***

**B. Bill No. 31-2013** - authorizing the transfer of \$20,000 from the General Fund Contingency account to a Charter Review Commission line item for support of the Charter Review Commission (**Auditor**) (PAGE 83) ***Introduced at the 6-24 regular meeting PAGE 18***

**C. Bill No. 32-2013** – amending Chapter 1, Part 7 Fire Escrow Proceeds, of the Codified Ordinances by adding requirements regarding the rehabilitation or demolition of fire damaged properties and renumbering as required (**Fire Escrow Work Group/Council Staff**) (PAGE 86) ***Introduced at the 6-24 regular meeting; Advertized July 1, 2013 PAGE 21***

## **10. INTRODUCTION OF NEW ORDINANCES**

### ***PENDING***

**Bill No. -2013** – vacating a portion of Moss Street, as described in Exhibit A and removing this portion of Moss St from the City's topographical map (**Law**) (PAGE 84) ***Introduced at the 6-24 regular meeting***

## **11. RESOLUTIONS**

**A. Resolution** – appointing Thomas Anewalt to the Charter Board (**Nom & Appts**) **PAGE 26**

**B. Resolution** – appointing Thomas Anewalt to the Charter Review Commission (**Council Pres**) **PAGE 27**

## **12. PUBLIC COMMENT – GENERAL MATTERS**

*Please see public speaking rules on first page*

## **13. COUNCIL BUSINESS / COMMENTS**

## **14. COUNCIL MEETING SCHEDULE**

***Monday, July 8<sup>th</sup>***

*Committee of the Whole – Council Office – 5 pm*

*Regular Meeting – Council Chambers – 7 pm*

***Monday, July 15<sup>th</sup>***

*Finance & Budget Meeting – Council Office – 5 pm*

*Strategic Planning – Council Office – at the conclusion of the 5 pm meeting*

***Saturday, July 20<sup>th</sup>***

*Budget Summit – 9 am - noon*

***Monday, July 22<sup>nd</sup>***

*Committee of the Whole – Council Office – 5 pm*

*Regular Meeting – Council Chambers – 7 pm*

***Monday, July 29<sup>th</sup>***

*Emergency Management – Penn Room - 5 pm*

**15. BAC AND COMMUNITY GROUP MEETING SCHEDULE**

**Monday, July 8**

Fire Civil Service Board – Penn Room – 4 pm

6<sup>th</sup> & Amity Neighborhood & Playground Assn – 6<sup>th</sup> & Amity Fieldhouse – 6:30 pm

**Tuesday, July 9**

Water Authority Workshop – Water Authority Office – 4 pm

Citizens Advisory Board – Penn Room – 7 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

**Wednesday, July 10**

Zoning Hearing Board – Council Chambers – 5:30 pm

Center City Community Organization – Holy Cross Church – 6 pm

**Thursday, July 11**

Police Pension Board – Penn Room – 10 am

Outlet Area Neighborhood Assn – St Mark's Lutheran Church

**Sunday, July 14**

College Heights Community Council – Nativity Lutheran Church – 7 pm

**Monday, July 15**

Library Board – 113 S 4<sup>th</sup> St – 4 pm

**Tuesday, July 16**

Charter Board – Penn Room – 7 pm

HARB – Planning Conference Room – 7 pm

**Wednesday, July 17**

Redevelopment Authority – Redevelopment Authority Office – 5:30 pm

**Thursday, July 18**

Blighted Property Review Committee – Council Chambers – 6 pm

**Monday, July 22**

DID Authority – 645 Penn St 5<sup>th</sup> floor - noon

**City of Reading City Council  
Regular Business Meeting  
Monday, June 24, 2013**

Council President Francis G. Acosta called the meeting to order.

The invocation was given by Pastor Dewayne Messenger of All Soul's Church.

All present pledged to the flag.

**ATTENDANCE**

Council President Acosta

Councilor Corcoran, District 1

Councilor Goodman-Hinnershitz, District 2

Councilor Sterner, District 3

Councilor Marmarou, District 4

Councilor Reed, District 5

Councilor Waltman, District 6

City Auditor D. Cituk

City Solicitor C. Younger

City Clerk L. Kelleher

Mayor V. Spencer

**PROCLAMATIONS AND PRESENTATIONS**

Council Recognition Certificates were issued to City of Reading students who won scholarships from the Reading Musical Foundation:

- Alexandra Vargas
- Isabelle Bender
- Giovanni Nieves
- Soleil Torres

**PUBLIC COMMENT**

Council President Acosta announced that four (4) citizens were registered to address Council on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the Council meeting. As no one objected, the rule to require non-agenda comment at the end of the meeting was suspended. Council President Acosta reminded the citizens registered to speak about the remaining public speaking rules.

**Christopher Duong, of Muhlenberg**, was not present.

**Jaquinna Jones, of Philadelphia**, was not present.

**Mary Jane Smith, of Perkiomen Ave**, expressed the belief that combining the trash and recycling billing with the water/sewer bill creates a budgeting problem for the majority of Reading residents who live on a tight budget. She suggested making the due date for this bill the 15<sup>th</sup> of the month, rather than the last day of the month.

**James Fegley, of North 17th Street**, thanked Council and the Reading Police for their attention to the speeding problem on Hampden Blvd last Friday.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Acosta called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading, and the minutes for the June 10<sup>th</sup> Regular Meeting of Council. He noted the need to add a resolution to appoint Councilor Reed to the Rec Commission. He stated that Ms. Reed will be replacing him on the Rec Commission. He stated that he needs to resign due to the workload expected of the President of Council.

**Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the June 10<sup>th</sup> Regular Meeting of Council and the agenda, as amended, including the legislation under the Consent Agenda heading. The motion was approved unanimously.**

## **Consent Agenda**

**A. Resolution 49-2013** - promoting David Ciabattoni from the rank of Paramedic/Firefighter to Lieutenant in the Fire Department, effective immediately (Fire/Council Staff) (PAGE 13)

**B. Resolution 50-2013** – Authorizing an amendment to the CDBG Action Plan in the amount of \$55,000 for the purchase of protective fire equipment (CD & Fire) (PAGE 14)

**C. Resolution 51-2013** – authorizing an amendment to the CDBG Action Plan to expand the Community Policing area to the downtown Census Tract - Block Groups 1-5, 3-1, 3-2, 7-1, 7-2, 7-3, 8-1, 11-2, 11-3, 13-1, 13-2, 15-2, 16-2, 18-1, 19-1, 25-1, 25-3 to the program's service area (Police) (PAGE 17)

**D. Resolution 52-2013** – ratifying the FOP Lodge #9 Collective Bargaining Agreement, effective Jan 1, 2012 – Dec 31, 2016 (HR) (PAGE 19)

## **ADMINISTRATIVE REPORT**

Mayor Spencer read the report distributed to Council at the meeting covering in summary:

- Meeting in Washington DC regarding HUD funding
- Meeting with local State legislators to discuss the state of the City
- Meeting with the DCED regarding the Main Street application and Main Street Grants
- His availability every Tuesday from 1-2 pm for meetings with citizens

## **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2013 Admissions Fee collection
- 2013 Real Estate Transfer Tax collection
- Liquid Fuels fund revenue

Councilor Waltman reminded Council of the need to meet with DCED officials regarding Act 47. Council President Acosta stated that the City Clerk is making those arrangements.

Councilor Waltman suggested that State legislators discuss the ramifications various acts will have on Third Class-sized cities before the acts are passed.

Councilor Goodman-Hinnershitz expressed the belief that the solutions offered in the Act 47 Plan are merely band aids. She stated that larger issues such as the pension system are crippling cities across the Commonwealth.

Councilor Goodman-Hinnershitz inquired about the sale of the former firehouse property located in the 200 block of Penn Street. City Clerk Kelleher stated that the transaction was listed in the Sunday real estate transactions and the property was sold to Supportive Concepts. Concern that this property would become tax exempt was expressed.

### **REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS**

None.

## **ORDINANCES FOR FINAL PASSAGE**

**A. Bill No. 30-2013** - Authorizing the execution of a Lease Agreement between the City of Reading and WFMZ for the Lease of a Portion of the "WEEU Building" for the



installation of a transmitter on the existing Tower (**Law**) *Note: Ineligible for enactment until the June 24<sup>th</sup> meeting due to the Charter required 14 day lay over period (PAGE 73)*

Councilor Reed moved, seconded by Councilor Marmarou, to enact Bill No. 30-2013.

Bill No. 30-2013 was adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7

Nays: None - 0

## INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

**A. Ordinance** - authorizing the amendment of the Park and Recreation Fees as recommended by the Rec Commission (Bus Analyst) (PAGE 79)

**B. Ordinance** - authorizing the transfer of \$20,000 from the General Fund Contingency account to a Charter Review Commission line item for support of the Charter Review Commission (Auditor) (PAGE 83)

**C. Ordinance** – vacating a portion of Moss Street, as described in Exhibit A and removing this portion of Moss St from the City’s topographical map (Law) (PAGE 84)

**D Ordinance** – amending Chapter 1, Part 7 Fire Escrow Proceeds, of the Codified Ordinances by adding requirements regarding the rehabilitation or demolition of fire damaged properties and renumbering as required (Fire Escrow Work Group/Council Staff) (PAGE 86)

## RESOLUTIONS

**A. Resolution 53-2013** – appointing Donna Reed to the Rec Commission, replacing Francis Acosta. (Council Staff)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to adopt Resolution 53-2013.

Resolution No. 53-2013 was adopted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman,  
Acosta, President - 7**  
**Nays: None - 0**

## **COUNCIL COMMENT**

Councilor Marmarou stated that 50 violations in four hours were issued during a speed enforcement detail last Friday evening on Hampden Blvd, in response to complaints from residents.

Councilor Corcoran expressed the belief that citizens can generate change in their neighborhoods by bringing neighborhood issues to Council's attention. He asked Mr. Lloyd to take Ms. Smith's suggestion to the RAWA Board.

Councilor Corcoran described the positive experience he had on his ride along with the Police Department on Saturday evening. He thanked Chief Heim and Officer Dinger for making these arrangements.

Councilor Goodman-Hinnershitz thanked tonight's speakers for bringing issues to Council's attention. She also thanked Public Works for addressing the high grass in an East Reading playground. She suggested avoiding this problem in the future by searching for alternatives with the Rec Commission.

Councilor Goodman-Hinnershitz reminded citizens of the dangers and hazards associated with setting off fireworks over the July 4<sup>th</sup> Holiday, in neighborhoods and on Skyline Drive.

Councilor Reed commended Centre Park for a successful garden tour. She also noted the free 4<sup>th</sup> of July concert at First Energy Stadium.

Councilor Waltman congratulated Centre Park for hosting another successful garden tour. He also thanked property owners who participated. He agreed with Ms. Smith, that the average resident is maxed out due to the increase in water/sewer fees and the change from quarterly to monthly billing.

Council President Acosta noted the grand opening at the former Woodward Cafe and the success of the African American parade. He also stated that RAWA is working with residents by eliminating late fees until August 31, 2013, which will allow people with approximately three months to pay off the large bill that started the combination of

trash and recycling billing with water/sewer billing. He stated that RAWA board meetings are open to the public.

Council President Acosta introduced his son Alex, who attended the meeting.

**Councilor Marmarou moved, seconded by Councilor Reed, to adjourn the regular meeting of Council.**

*Respectfully submitted by Linda A. Kelleher CMC, City*

*Clerk*



# AGENDA MEMO

## DEPARTMENT OF ADMINISTRATIVE SERVICES

**TO:** City Council  
**FROM:** Tammi Reinhart, Purchasing Coordinator  
**PREPARED BY:** Tammi Reinhart, Purchasing Coordinator  
**MEETING DATE:** July 8, 2013  
**AGENDA MEMO DATE:** June 24, 2013  
**RECOMMENDED ACTION:** Awarding of Contract for the Pump Tender Room Roof for the Wastewater Treatment Plant

### RECOMMENDATION

The recommendation is to award the contract for the renovations of the Pump Tender Room Roof to Purcell Construction, 560 North 5th Street, P.O. Box 188, Denver, PA 17517 who is the low bidder with total bid price of \$35,600.00.

### BACKGROUND

Bids for the Pump Tender Room Roof for the Wastewater Treatment Plant were received on June 11, 2013.

A copy of the Schedule of Bids is attached for your review.

### BUDGETARY IMPACT

The Wastewater Treatment Plant/Department of Public Works has confirmed there are sufficient funds in budget account code 54-07-44-4216 to cover the renovations.

### PREVIOUS ACTION

None

### SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the July 8, 2013 meeting.

### RECOMMENDED BY

Mayor, Managing Director, Director of Administrative Services, Director of Public Works, Controller and Purchasing Coordinator.

**RECOMMENDED MOTION**

Approve/Deny the recommendation for the Pump Tender Room Roof in order that contract may be awarded to Purcell Construction.

cc: File

June 11, 2013

To the Mayor  
City Hall  
Reading, PA

The following bids were opened and scheduled, with a Contract to be awarded or the bids rejected.

**BID NO. 2013-10 FOR THE PUMP TENDER ROOM ROOF FOR THE DEPARTMENT OF PUBLIC WORKS, CITY OF READING, PENNSYLVANIA.**

**BIDDER**

**BID PRICE**

Purcell Construction  
560 N. 5<sup>th</sup> Street  
Denver, PA 17517

\$35,600.00

Rainbow Roofing  
7 Morgan Drive  
Sinking Spring, PA 19608

\$37,000.00

TAMMI REINHART

## RESOLUTION NO. \_\_\_\_\_ 2013

**WHEREAS**, by virtue of Resolution 120-2006, adopted December 11, 2006, the City of Reading declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on July 16, 1993, and;

**WHEREAS**, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

### **NOW THEREFORE, THE COUNCIL OF THE CITY OF READING DOES HEREBY RESOLVE AS FOLLOWS:**

In accordance with City of Reading Records Retention Policy and Document Retention Schedule, hereby authorizes the disposition of the following public records:

#### City Clerk's Office

Star Fireworks	1973 thru 1976
Edward & Stephania Stanley	1960
Joseph Stajkowski	1979
Jacob K. Stauffer	1954 thru 1960
Herbert E. Stauffer	1955
Albert Spurio/Spurio Tire Service	1962 and 1963
Walter E. Spotts & Associates	1953
SSM/Laboratories	1994
Farmer Kirkpatrick Spillman	1974 thru 1980
Sperry Univac –	1976 thru 1986
Spotts, Stevens & McCoy, Inc.	1979 thru 1996

Adopted by Council \_\_\_\_\_, 2013

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President of Council

Attest:

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City Clerk

**TO:** City Council  
**FROM:** Shelly Katzenmoyer, Deputy City Clerk  
**PREPARED BY:** Shelly Katzenmoyer, Deputy City Clerk  
**MEETING DATE:** June 24, 2013  
**AGENDA MEMO DATE:** June 5, 2013  
**RECOMMENDED ACTION:** Amending Park and Recreation Rental Fees

### **RECOMMENDATION**

The Recreation Commission recommends amending the park and recreation rental fees.

### **BACKGROUND**

The Business Analyst is currently reviewing the Special Event permit procedure. During this review it was discovered that the Recreation Commission has begun using an updated rental fee schedule. This amendment would make the City's fee schedule consistent with those fees recommended by the Recreation Commission.

The rental fees for the bandshell and pagoda are not affected by this amendment as they are not overseen by the Recreation Commission.

The Commission recommends adding fees for basketball tournaments at 3rd & Spruce and 11th & Pike. There is also a separate rental fee for the pavilion at 3rd & Spruce and fees to rent the tennis courts at Hampden Park.

You will also notice delineation in rental fees for residents, non-profits, schools, non-residents, and for-profit businesses and organizations.

### **BUDGETARY IMPACT**

None – rental fees for these facilities are now budgeted to the Recreation Commission to further the programming offered by the Commission.

### **PREVIOUS ACTIONS**

None

### **SUBSEQUENT ACTION**

Formal action by Council is needed to amend the fee schedule.

### **RECOMMENDATION**

The recommendation is that City Council approves the recommendation of the Recreation Commission regarding these fee increases.

### **RECOMMENDED BY**

Recreation Commission

### **RECOMMENDED MOTION**

To approve the Recreation Commission's recommendation that the fee schedule of the City of Reading be amended to reflect current fees.

**BILL NO.**

**AN ORDINANCE**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, FEE SCHEDULE, ADMINISTRATIVE FEES, PUBLIC WORKS DEPARTMENT, PARKS AND RECREATION FEES.**

**THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1:** The Code of Ordinances of the City of Reading, Berks County, Pennsylvania, Fee Schedule, Administrative Fees, Public Works Department, Parks and Recreation Fees shall be and is hereby amended and shall hereafter be set forth as attached hereto and made a part here.

**SECTION 2:** All other items, parts, sections, etc. of the Code of Ordinances of the City of Reading, Berks County, Pennsylvania, which are contrary to the amended chart attached as Exhibit A are hereby repealed; otherwise all other parts, sections, etc. of said Code and Chapter shall remain in effect unchanged and likewise are ratified.

**SECTION 3:** This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2013

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

(Recreation Commission/Business Analyst)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_



		CITY			City For-profit Non-resident		
Item	Old City Fee	RESIDENT	NON-PROFIT	SCHOOLS		Deposit	N
<b>Pendora Fieldhouse</b> (6 hours)	\$180.00	\$175.00	\$175.00	\$175.00	\$225.00	equal to rental fee	
additional hours over 6	n/a	25.00 P/H	25.00 P/H	25.00 P/H	\$25.00 per hour	equal to rental fee	
<b>Schlegel Fieldhouse</b> (6 hours)	\$180.00	\$125.00	\$125.00	\$125.00	\$175.00	equal to rental fee	
additional hours over 6	n/a	25.00 P/H	25.00 P/H	25.00 P/H	\$25.00 per hour	equal to rental fee	
<b>3rd and Spruce Gym</b> (minimum 2 hour rentals only)	200.00 (2-3 hrs)	35.00P/H	35.00P/H	20.00P/H	75.00P/H	equal to rental fee	during normal v
	n/a	50.00P/H	50.00P/H	50.00P/H	90.00P/H	equal to rental fee	outside normal
<b>Tournaments (3rd and Spruce)</b>	n/a	50.00P/H	50.00P/H	50.00P/H	90.00P/H	equal to rental fee	
(minimum 6 hours up to 12 per day)							
<b>11th and Pike Gym</b> (minimum 2 hour rentals only)	150.00 (2-3 hrs)	25.00P/H	25.00P/H	15.00P/H	65.00P/H	equal to rental fee	during normal v
	n/a	40.00P/H	40.00P/H	40.00P/H	80.00P/H	equal to rental fee	outside normal
Tournaments (Pike) (minimum 6 hours up to 12	n/a	40.00P/H	40.00P/H	40.00P/H	80.00P/H	equal to rental fee	

per day)

Large Pavilions	\$100 (6 hours)	150.00*	150.00*	150.00*	200.00*	equal to rental fee	*includes \$50.00
Small pavilions	\$50 (6 hours)	\$50.00	\$50.00	\$50.00	\$100.00	equal to rental fee	
3rd and Spruce Pavilion	\$50.00	\$100.00	\$100.00	\$100.00	150.00*	equal to rental fee	*includes \$50.00
Ball field Rentals	(2) hours before 8PM \$20.00	10	10	10**	20		**Community lieu of fees at a hour or 1/2 of t donation Scholar
(minimum 2 hours)	(2) hours after 8PM \$30.00	25*	25*	25*	35		*includes electr
Tennis Courts	n/a	5P/H	5P/H	5P/H	10P/H		
Basketball courts with lights	n/a	10.00P/H	10.00P/H	10.00P/H	20.00P/H	equal to rental fee	
		25	25	25	35.00P/H		exception City l

**BILL NO. \_\_\_\_\_ - 2013**

**AN ORDINANCE**

**AN ORDINANCE REQUESTING FUNDING IN THE AMOUNT OF \$20,000  
FOR THE CHARTER REVIEW COMMISSION.**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the budgetary transfer of \$20,000 from the General Fund Contingency account (#01-14-91-4739) to a Charter Review Commission line item for support of the Charter Review Commission.

SECTION 2. This ordinance shall become effective ten (10) days after its adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2013

\_\_\_\_\_  
President of Council

**Attest:**

\_\_\_\_\_  
City Clerk

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**BILL NO. \_\_\_\_\_-2013**  
**A N O R D I N A N C E**

**VACATING AND REMOVING FROM THE TOPOGRAPHICAL SURVEY OF THE CITY OF READING, A PORTION OF MOSS STREET AS DESCRIBED IN ATTACHED EXHIBIT "A".**

**WHEREAS**, The City of Reading deems it expedient for the public good to vacate and remove from the topographical survey of the City of Reading a portion of Moss Street, Reading, Berks County, Pennsylvania,

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** As described in attached Exhibit "A" and containing in area twenty-three thousand four hundred three square feet (23,403 sq.ft.) of land, the same hereby is vacated and removed from the topographical survey of the City of Reading.

**SECTION 2.** The Director of the Department of Public Works, the City Engineer be and he is hereby authorized and directed to enter and record the above-described change in the topographical book of streets in the Department of Public Works.

**SECTION 3.** The City Solicitor is authorized and directed to take such further steps in court or elsewhere as may be necessary to carry out the provisions of this Ordinance.

**SECTION 4.** All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed, insofar as they are inconsistent with this Ordinance.

**SECTION 5.** This Ordinance shall become effective within ten (10) days of the date of passage and approval by the Mayor or override of the Mayor's veto.

Enacted \_\_\_\_\_, 2013

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

(LAW DEPT.)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT "A"**

ALL THAT CERTAIN tract or strip of ground being known as Moss Street, being 60 ft. wide, from the northern building line of Bern Street to the northern property line of lands of Reading Area Water Authority, situate in the City of Reading, Berks County, Pennsylvania, and being more fully bounded and described as follows, To Wit:

BEGINNING at a point on the northern building line of Bern Street (60 ft. wide) and the western building line of Moss Street;

Thence leaving Bern Street and along the western building line of Moss Street and along lands of Reading Area Water Authority, North 04 degrees 05 minutes 12 seconds East, 390.04 feet to a point, a corner of lands of Angela Carmello;

Thence crossing Moss Street, South 85 degrees 56 minutes 33 seconds East, 60.00 feet to a point on the eastern building line of Moss Street and in line of lands of the City of Reading;

Thence along the eastern building line of Moss Street and along lands of the City of Reading, South 04 degrees 05 minutes 12 seconds West, 390.07 feet to a point on the northern building line of Bern Street;

Thence along the northern building line of Bern Street, North 85 degrees 54 minutes 48 seconds West, 60.00 feet to the Place of Beginning.

CONTAINING: 23,403 Square Feet

**BILL NO. \_\_\_\_\_ - 2013**  
**AN ORDINANCE**

**AMENDING CHAPTER 1, PART 7 FIRE ESCROW PROCEEDS, OF THE CODIFIED ORDINANCES OF THE CITY OF READING BY ADDING REQUIREMENTS REGARDING THE REHABILITATION OR DEMOLITION OF FIRE DAMAGED PROPERTIES AND RENUMBERING AS REQUIRED.**

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

**SECTION 1.** Amending Chapter 1, Part 7 Fire Escrow Proceeds, of the Codified Ordinances of the City of Reading by adding requirements regarding the rehabilitation or demolition of fire damaged properties and renumbering as required is hereby amended as attached in Exhibit A.

**SECTION 2:** All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

**SECTION 3:** If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

**SECTION 4:** This Ordinance shall become effective in ten (10) days after passage.

Enacted \_\_\_\_\_, 2013

\_\_\_\_\_  
Council President

Attest:

\_\_\_\_\_  
City Clerk

(Council Staff & Fire Escrow Work Group)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

## EXHIBIT A

### CHAPTER 1 - Administration

#### PART 7 FIRE INSURANCE PROCEEDS

A. Fire Insurance Proceeds Escrow Procedures.

§1-701. Municipal Officer; Definitions.

1. The Director of the Department of Finance ~~Administration~~ **Administration** or his designee (hereafter, the "Municipal Officer") is hereby appointed as the designated officer who is authorized to carry out all responsibilities and duties of the City stated herein. [Ord. 8-1996]

2. A fire loss or claim for fire damage is defined as any loss occurring after the effective date of this Part and covered under a policy of fire insurance, including any endorsements or riders to the policy.

3. The Fire Insurance Escrow Act (herein "the Act") refers to the Insurance Company Law of 1921 as amended by Act 98 of 1992 and Act 93 of 1994<sup>83</sup>, and adopted by the City of Reading Pursuant to Ord. 7-1995.

(Ord. 6-1995, 2/1/1995, Art. 1; as amended by Ord. 8-1996, 2/26/1996, §2)

§1-702. Payment of Claims.

1. No insurance company, association or exchange (hereinafter the "insurer") doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within the City of Reading (hereinafter the "Municipality") where the amount recoverable for the fire loss to the structure under all policies exceeds \$7,500, unless the insurer is furnished by the Municipal Officer with a municipal certificate pursuant to §508(b) of the Act and unless there is compliance with §§508(c) and (d) and the provisions of Ord. 7-1995 [Part 7B], ~~enacted contemporaneously herewith~~ dealing with payment of delinquent taxes.

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<sup>83</sup> 40 P.S. § 638.

2. After full compliance with the requirements of §508(b)(1)(I) of the Act and Ord. 7-1995 [Part 7B], the insurer shall pay the claim of the named insured, provided however, that if the loss is agreed upon by the named insured and the insurer equals or exceeds 60% of the aggregate limits of liability on all fire policies covering the building structure, the following procedures shall be followed:

A. The insurer shall transfer from the insurance proceeds to the Municipal Officer the aggregate of \$2,000 for each \$15,000 of a claim and for each fraction of that amount of a claim, provided subsection (1) that this Section is to be applied such that if the claim is \$15,000 or less, the amount transferred to the City shall be \$2,000; and (2) that, if at the time of a loss report the named insured has submitted a contractor's signed estimate of the costs of removing, repairing or securing the building or other structure in an amount less than the amount calculated under the foregoing transfer formula, the insurer shall transfer to the City from the insurance proceeds the amount based upon the estimate.

B. The transfer of proceeds shall be on *pro rata* basis by all companies, associations or exchanges insuring the building or other structure. Policy proceeds remaining after the transfer to the City shall be disbursed in accordance with the policy terms.

3. After the transfer, the named insured may submit a *licensed* contractor's signed estimate of the costs of removing, repairing or securing the building or other structure, and the designated officer shall return the amount of the funds transferred to the City in excess of the estimate to the named insured, if the City has not commenced to remove, repair or secure the building or other structure.

4. Upon receipt of proceeds under this Section, the City shall do the following:

A. The Municipal Officer shall place the proceeds in the separate fund to be used solely as security against the total costs of removing, repairing, or securing the building or structure which are incurred by the City, ~~Such costs shall include, without limitation~~ including, but not limited to, any engineering, legal or administrative costs incurred by the City in connection with such removal, repair or securing of the building or any inspections or proceedings related thereto.

B. It is the obligation of the insurer when transferring the proceeds to provide the City with the name and address of the named insured. Upon receipt of the transferred funds and the name and address of the named insured, the Municipal Officer shall contact the named insured, certify that the proceeds have been received by the City and notify the named insured that the procedures under this subsection shall be followed. *If the insured transfers title to the property or assigns the escrow to a new*



*owner, the original insured shall notify the City about the title transfer or assignment within 30 days of the transfer or assignment.*

*C. The named insured shall have two (2) years from the date the City provides the notice required under Section 4(B) to complete the rehabilitation of the property, with a one (1) year extension available after receiving written approval from the City's Fire Marshal and Chief Building Inspector. If the insured chooses demolition rather than rehabilitation, he shall have six (6) months to complete the demolition, which includes clearing all debris.*

**E D.** When repairs, removal or securing of the building or other structure have been completed in accordance with all applicable regulations and orders of the City and the required proof of such completion received by the Municipal Officer, and if the City has not incurred any costs for repairs, removal or securing, the fund shall be returned to the named insured. If the City has incurred costs for repairs, removal or securing of the building or other structure, the costs shall be paid from the fund and, if excess funds remain, the City shall transfer the remaining funds to the named insured.

E. To the extent that interest is earned on proceeds held by the City pursuant to this Section, and retained by it, such interest shall belong to the City. To the extent that proceeds are returned to the named insured, interest earned on such proceeds shall be distributed to the named insured at the time that the proceeds are returned.

*F. Prior to the release of any funds under Section D, the property must be inspected by a City of Reading Building Code inspector and an inspector from the Office of the Fire Marshal who shall certify that all the required work has been done to repair, remove and/or secure the property. No property shall be considered repaired, removed or secured unless both the exterior and interior of the property meet the minimum standards for safety under and all City, State and Federal laws and regulations, including but not limited to, the Pennsylvania Uniform Construction Code as adopted and amended by the City of Reading, the City of Reading Property Maintenance Code, and the Fire Prevention Code of the City of Reading.*

5. Nothing in this Section shall be construed to limit the ability of the City to recover any deficiency. Furthermore, nothing in this Part shall be construed to prohibit the City and the named insured from entering into an agreement that permits the transfer of funds to the named insured if some other reasonable disposition of the damaged property has been negotiated.

6. ~~Shall provide~~ The City of Reading may adopt procedures and regulations to implement the provisions of this Part and may by ordinance fix reasonable fees to be charged for municipal

activities and services provided pursuant to this Part; including but not limited to, issuance of certificates and bills, performance of inspections and opening separate fund accounts.  
(*Ord. 6-1995, 2/1/1995, Art. 2; as amended by Ord. 14-2001, 5/29/2001*)

**§1-703. Adoption of Procedures and Regulations.**

The City of Reading may by ordinance adopt procedures and regulations to implement §508 and this Part and may by resolution fix reasonable fees to be charged for municipal activities or services provided pursuant to §508 and this Part; including but not limited to issuance of certificates and bills, performance of inspections and opening separate fund accounts.  
(*Ord. 6-1995, 2/1/1995, Art. 3; as amended by Ord. 14-2001, 5/29/2001*)

**§1-704. Penalties.**

Any owner of property, any named insured or any insurer who violates this Part shall be, upon conviction thereof, sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.  
(*Ord. 6-1995, 2/1/1995, Art. 4; as amended by Ord. 14-2001, 5/29/2001*)

**R E S O L U T I O N N O. \_\_\_\_\_**

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS  
FOLLOWS:

That Thomas Anewalt is appointed to the Charter Board with a term ending  
April 26, 2018

Adopted by Council \_\_\_\_\_, 2013

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

**RESOLUTION NO. \_\_\_\_\_2013**

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS  
FOLLOWS:

Appointing Thomas Anewalt to the Charter Review Commission.

Adopted by Council \_\_\_\_\_, 2013

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk